



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Freeman, et al.

Serial No.: 09/425,516

Filed: October 22, 1999

For: : METHODS FOR INHIBITING THE
INTERACTION OF B7-2 WITH ITS NATURAL
LIGAND (*as Amended*)

Attorney Docket No.: RPI-004C3CN

Group Art Unit: 1644

Examiner: P. Gambel

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Megan E. Williams

Please Print Name of Person Signing

DECLARATION

Dear Sir:

I, Megan E. Williams, hereby declare that:

1. I am the Attorney for Genetics Institute, Inc., and Dana-Farber Cancer Institute, the assignees of the above-identified application.

2. The hybridoma referred to as HA3.1F9 was deposited at the American Type Culture Collection at 12301 Parklawn Drive, Rockville, MD 20852, under the terms of the Budapest Treaty on July 19, 1994, and has been assigned ATCC Accession No. HB 11688. A copy of the deposit contract is submitted herewith.

3. The hybridoma referred to as HA5.2B7 was deposited at the American Type Culture Collection at 12301 Parklawn Drive, Rockville, MD 20852, under the terms of the Budapest Treaty on July 19, 1994, and has been assigned ATCC Accession No. HB 11687. A copy of the deposit contract is submitted herewith.

4. The hybridoma referred to as HF2.3D1 was deposited at the American Type Culture Collection at 12301 Parklawn Drive, Rockville, MD 20852, under the terms of the Budapest Treaty on July 19, 1994, and has been assigned ATCC Accession No. HB 11686. A copy of the deposit contract is submitted herewith.

5. The hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 have been deposited under conditions that assure that access to the material will be available during the pendency of the above-identified patent application to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. 1.14 and 35 U.S.C. §122.

6. During the pendency of the above-identified patent application, access to the deposits will be afforded to the Commissioner upon request.

7. Upon granting of a patent on the above-identified patent application, all restrictions on the availability to the public of the hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 will be irrevocably and without restriction or condition removed.

7. The hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 will be maintained with all the care necessary to keep them viable and uncontaminated for a period of at least five years after the most recent request for furnishing of a sample of the deposited cell line, and, in any case, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

8. The viability of the hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 was tested at the time the deposits were made and the tests indicated that the hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 were viable.

9. If the hybridomas HA3.1F9, HA5.2B7, and HF2.3D1 become nonviable or non-replicable, the deposit(s) shall be replaced

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issued thereon.

July 22, 2003
Date: July 22, 2003

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